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WARN ACT

The Federal Worker Adjustment and Retraining Act requires larger employers to provide at least 60 days written notice of a plant closing or mass layoff.

Covered employers are those with 100 or more employees (not counting those who wok less than 20 hours a week or those who have worked less than 6 months out of the last 12.

A **mass layoff** is a 6 month or longer layoff that:

- Effects 50-499 employees and is equal to 33% of that employer's workforce; or

- Effects 500 or more employees.

A **plant closing** results in the loss of a job for 50 or more employees at a single site within a 30 day period.

Who is entitled to Notice:

- The affected worker;
  The local unit of government; and
  The Indiana Department of Workforce Development (which can provide assistance in retraining and obtaining a new job.

- Income Support: Up to 52 weeks after unemployment insurance is exhausted if you are in a full time training program

Who Can Bring Suit:

- An individual worker or workers

- A union representing workers

- A local unit of government

Related Links:

Worker's Guide to WARN Act and FAQs

WARN Act Fact Sheet

Warn Notices Received by Indiana

Dislocated Workers Services

Related Issues:

COBRA

Unemployment

TAA

Available <u>penalties</u> for violations of the WARN Act:

- Back pay and benefits for a period equal to the length of the employer's violation;

- Up to $500 per day for failure to notify local units of government unless the employees received all benefits they were due within 3 weeks of the closure or layoff.

Enforcement of the WARN Act cannot be provided by any government agency. The method of enforcement must be through a lawsuit brought in US District Court.

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